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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,617	02/23/2004	Shinsuke Saida	70404.18	8384
54072	7590	02/28/2006	EXAMINER	
SHARP KABUSHIKI KAISHA C/O KEATING & BENNETT, LLP 8180 GREENSBORO DRIVE SUITE 850 MCLEAN, VA 22102			NGUYEN, HOAN C	
			ART UNIT	PAPER NUMBER
			2871	

DATE MAILED: 02/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/784,617

Applicant(s)

SAIDA ET AL.

Examiner

HOAN C. NGUYEN

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2005.
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
4a) Of the above claim(s) 2-5 is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1, 6 and 7 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2/23/04.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

Applicant's election without traverse of species D (claims 1, 6 and 7) in the reply filed on 12/22/2005 is acknowledged.

Claims 2-5 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 12/22/2005.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the feature "the absorption axis of the first or second polarizer" cited in claim 7 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering

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of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 7 recites "the at least one phase plate is arranged such that the c-axis thereof is substantially parallel to the absorption axis of the first or second polarizer that is provided on the same side of the liquid crystal layer as the at least one phase plate"

The absorption axis of the first or second polarizer is always in the plane (e.g. x-y plane) of polarizer. However, the c-axis of the phase plate is substantially vertical direction (e.g. z-direction). Therefore, phase plate is arranged such that the c-axis thereof is substantially perpendicular (not parallel) to the absorption axis of the first or second polarizer.

Figure 5 of the instant application shows that the c-axis is tilted at angle Θ relative to z-axis. The absorption axis is perpendicular to the transmission axis 37/38.

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Therefore, absorption axis of the polarizer cannot be arranged such that the c-axis thereof is substantially parallel to the absorption axis of the polarizer.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Ditzik (US5771039A).

Ditzik teaches (Figs. 6A-B) a liquid crystal display device comprising:

- a liquid crystal layer 31;
- a first substrate 6 located closer to a viewer than the liquid crystal layer is;
- a second substrate 33 arranged so as to face the first substrate with the liquid crystal layer interposed between the first and second substrates; and
- a first polarizer (a thin front polarizing film 29) located even closer to the viewer than the first substrate is;

wherein

- the first substrate includes a first plastic substrate (col. 4 lines 64-66, col. 7 lines 58-60) on which a plurality of fibers are aligned in a first direction (vertical direction), and the first polarizer is aligned such that the transmission axis of the

first polarizer is in horizontal direction that is substantially perpendicular to the first direction (vertical direction).

Claim 6:

- a first alignment film 36 which is subjected to a rubbing treatment, is arranged on the first substrate so as to face the liquid crystal layer, and the rubbing direction (in horizontal direction) of the first alignment film is arranged so as to be or substantially perpendicular to the first direction (vertical direction).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Sato et al. (US 6424395 B1) disclose a light scattering film, including a plurality of first transparent regions each having a fibril-like cross section and a plurality of second transparent regions differing in refractive index range from the first transparent region, wherein each of the first transparent regions is positioned to permit the long axis of the fibril-like cross section to cross one main surface of the film and to permit each of the fibril-like cross sections of the first transparent regions to be sandwiched between adjacent second transparent regions in a direction of the short axis of the fibril-like cross section.

Sakai et al. (US 20050083463 A1) disclose a retardation film mainly used in a liquid crystal display and a process for producing the retardation film are provided. By using the retardation film having a birefringence, a coloring phenomenon and gray scale

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inversion can be reduced and viewing angle characteristics of a TN liquid crystal display can be improved.

Ito et al. (US 6569502 B1) disclose an optical compensatory sheet comprises a transparent substrate, an orientation layer and an optically anisotropic layer in order.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HOAN C. NGUYEN whose telephone number is (571) 272-2296. The examiner can normally be reached on MONDAY-THURSDAY:8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim H. Robert can be reached on (571) 272-2293. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HOAN C. NGUYEN
Examiner
Art Unit 2871

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ANDREW SCHECHTER
PRIMARY EXAMINER